

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00136-7

KRISTOPHER SHAUN WOODSON

PROBATION REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On January 4, 2019, the United States of America appeared by Ryan A. Saunders, Assistant United States Attorney, and the defendant, Kristopher Shaun Woodson, appeared in person and by his counsel, L. Thompson Price, for a hearing on the petition seeking revocation of probation submitted by United States Probation Officer M. Dylan Shaffer. The defendant commenced a three-year term of probation in this action on March 8, 2017, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on March 23, 2017.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of probation in the following respects:

(1) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by him on April 26, 2017, for hydrocodone, the defendant having admitted to the probation officer that he consumed a Tylenol 3; a positive urine specimen submitted by him on August 2, 2017, for cocaine; a positive urine specimen submitted by him on August 9, 2017, for cocaine and methamphetamine, the defendant having admitted to the probation officer that he used cocaine and Xanax, but a lab test later confirmed the presence of cocaine and methamphetamine; a positive urine specimen submitted by him on October 20, 2017, for oxymorphone; a positive urine specimen submitted by him on December 4, 2017, for cocaine; a positive urine specimen submitted by him on July 24, 2018, for benzodiazepine, methamphetamine and amphetamine, the defendant having admitted he ingested benzodiazepine, but a lab test later confirmed the presence of amphetamine and methamphetamine; a positive urine specimen submitted by him on October 10, 2018, for methamphetamine; and a positive urine specimen submitted by him on November 28, 2018, for marijuana, the defendant having

admitted to the probation officer that he used marijuana; and (2) the defendant failed to submit urine screens as instructed on January 26 and November 12, 2018, all as admitted by the defendant on the record of the hearing and all as set forth in the petition seeking revocation of probation.

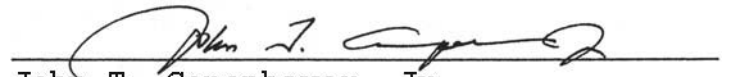
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of probation and, further, that it would unduly depreciate the seriousness of the violations if probation were not revoked, it is ORDERED that the probation previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of ONE (1) DAY, to be followed by a term of one (1) year of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form

AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special condition that he spend a period of six (6) months in a community confinement center commencing as soon as bed space is available, where he shall follow the rules and regulations of the facility. The defendant shall participate in an intensive outpatient substance abuse treatment program at Pyramid and submit to random drug screens as directed by the probation officer.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 4, 2019

  
John T. Copenhaver, Jr.  
Senior United States District Judge